

**§ 837h. Provisions not applicable to Canyon Ferry project or benefits and exchanges under Treaty between Canada and United States; preference of power users in Montana not modified**

The provisions of this chapter shall not be applicable to (1) the Canyon Ferry project and (2), except as provided in section 837e of this title, downstream power benefits to which Canada is entitled under the treaty between Canada and the United States relating to the cooperative development of the water resources of the Columbia River Basin, signed at Washington, January 17, 1961, nor to energy or capacity disposed of to Canada in any exchange pursuant to paragraph 1 or 2 of article VIII thereof. Nothing in this chapter shall be construed to modify the geographical preference of power users in the State of Montana which is established by the Hungry Horse Dam Act (Act of June 4, 1944, 58 Stat. 270), as amended.

(Pub. L. 88-552, §9, Aug. 31, 1964, 78 Stat. 758.)

REFERENCES IN TEXT

The Hungry Horse Dam Act (Act of June 4, 1944, 58 Stat. 270), as amended, referred to in text, probably means act June 5, 1944, ch. 234, 58 Stat. 270, as amended, which is classified to sections 593a and 593b of Title 43, Public Lands.

**CHAPTER 12G—PACIFIC NORTHWEST  
FEDERAL TRANSMISSION SYSTEM**

Sec.	
838.	Congressional findings; authority and duties of Secretary of Energy relating to Federal Columbia River Power System unaffected.
838a.	Definitions.
838b.	Operation and maintenance of Federal transmission system; construction of improvements, betterments, additions and replacements; criteria.
838c.	Acquisition by condemnation of transmission facilities.
838d.	Transmission of non-Federal power.
838e.	Acquisition of property.
838f.	Marketing of Federal power; sales agent.
838g.	Schedules of rates and charges for sale of Federal power and transmission of non-Federal power; confirmation and approval; criteria for modification and establishment.
838h.	Uniform schedules of rates and charges for sale of Federal power and transmission of non-Federal power; allocation of cost recovery.
838i.	Bonneville Power Administration fund.
838j.	Investment of excess moneys; deposit of moneys.
838k.	Bonneville Power Administration bonds.
838l.	Bonneville Power Administration refinancing.

**§ 838. Congressional findings; authority and duties of Secretary of Energy relating to Federal Columbia River Power System unaffected**

(a) Congress finds that in order to enable the Secretary of Energy to carry out the policies of Public Law 88-552 [16 U.S.C. 837 et seq.] relating to the marketing of electric power from hydroelectric projects in the Pacific Northwest, Public Laws 89-448 and 89-561 relating to use of revenues of the Federal Columbia River Power System to provide financial assistance to reclama-

tion projects in the Pacific Northwest, the treaty between the United States and Canada relating to the cooperative development of the resources of the Columbia River Basin, and other applicable law, it is desirable and appropriate that the revenues of the Federal Columbia River Power System and the proceeds of revenue bonds be used to further the operation, maintenance, and further construction of the Federal transmission system in the Pacific Northwest.

(b) Other than as specifically provided herein, the present authority and duties of the Secretary of Energy relating to the Federal Columbia River Power System shall not be affected by this chapter. The authority and duties of the Administrator referred to herein are subject to the supervision and direction of the Secretary.

(Pub. L. 93-454, §2, Oct. 18, 1974, 88 Stat. 1376; Pub. L. 95-91, title III, §302(a)(1)(D), Aug. 4, 1977, 91 Stat. 578.)

REFERENCES IN TEXT

Public Law 88-552, referred to in subsec. (a), is act Aug. 31, 1964, 78 Stat. 756, as amended, which is classified generally to chapter 12F (§837 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

Public Law 89-448, referred to in subsec. (a), is Pub. L. 89-448, §§1-3, June 14, 1966, 80 Stat. 200, as amended, which enacted sections 835j and 835k of this title and amended section 832h of this title.

Public Law 89-561, referred to in subsec. (a), is Pub. L. 89-561, §§1-6, Sept. 7, 1966, 80 Stat. 707, which enacted sections 835l and 835m of this title and section 1962d-6 of Title 42, The Public Health and Welfare, and amended sections 835j and 835k of this title.

SHORT TITLE

Section 1 of Pub. L. 93-454 provided that: "This Act [enacting this chapter] may be cited as the 'Federal Columbia River Transmission System Act'."

TRANSFER OF FUNCTIONS

"Secretary of Energy" substituted in text for "Secretary of the Interior" pursuant to Pub. L. 95-91, §302(a)(1)(D), which is classified to section 7152(a)(1)(D) of Title 42, The Public Health and Welfare.

Functions of Secretary of the Interior with respect to Bonneville Power Administration transferred to Secretary of Energy by section 7152(a)(1)(D), (2) of Title 42, with Bonneville Power Administration to be preserved as a distinct organizational entity within Department of Energy and headed by an Administrator.

**§ 838a. Definitions**

As used in this chapter—

(a) The term "Administrator" means the Administrator, Bonneville Power Administration.

(b) The term "electric power" means electric peaking capacity or electric energy, or both.

(c) The term "major transmission facilities" means transmission facilities intended to be used to provide services not previously provided by the Bonneville Power Administration with its own facilities.

(Pub. L. 93-454, §3, Oct. 18, 1974, 88 Stat. 1376.)

TRANSFER OF FUNCTIONS

Functions of Secretary of the Interior with respect to Bonneville Power Administration transferred to Secretary of Energy by section 7152(a)(1)(D), (2) of Title 42, The Public Health and Welfare, with Bonneville Power